

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FRANCIS WANJIRU,

Petitioner

v.

CIVIL ACTION NO.:

04-10030-EFH

JOSEPH McDONOUGH, SHERIFF,
PLYMOUTH COUNTY,

Respondent.

ORDER

February 18, 2004

HARRINGTON, S.D.J.

Upon review of the Respondent Joseph McDonough, Sheriff, Plymouth County's Motion to Dismiss Petitioner's Petition for a Writ of Habeas Corpus under 28 U.S.C. Section 2241, the Court grants same on the ground that the petition fails to state a claim upon which relief may be granted because petitioner's removal is now scheduled to occur on February 18, 2004.

This case is ordered dismissed.

SO ORDERED.

/s/ Edward F. Harrington

EDWARD F. HARRINGTON

United States Senior District Judge